

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRIDGESTONE AMERICAS, INC.,)
v.)
Plaintiff)) No. 3:13-1196
INTERNATIONAL BUSINESS)) Judge Sharp/Brown
MACHINES CORPORATION,)) **Jury Demand**
Defendant))

O R D E R

A lengthy telephone conference was held with the parties concerning three interrogatories submitted to Bridgestone by IBM. The Magistrate Judge would like to compliment both sides in this matter for their professional and courteous presentation of this issue.

IBM is attempting to determine through the three interrogatories the individuals and committees who were involved in three separate aspects of the case. The first is the role various committees and individuals played in the request for proposals and decisions to select IBM.

The second is the role of individuals and committees in approving the actual contract with IBM.

The third is the committees and individuals involved in the actual implementation of the contract through the day-to-day supervision of the contract.

In response to the first interrogatory Bridgestone provided some 12 bodies comprising 63 employees. The second interrogatory produced 13 bodies with 77 members, and the final interrogatory produced some 72 individuals. Bridgestone explained that unlike many companies, Bridgestone operates very much on a consensus basis and,

therefore, it is difficult for them to identify specific lead individuals.

IBM, on the other hand, is attempting to identify the custodians they wish to use for further discovery in the matter and to limit the number requested insofar as possible.

Under the scheduling order in the case the parties have started with 20 custodians and will be moving to 35, and possibly more, as the case progresses.

After discussion it appears to the Magistrate Judge that there is, in fact, a consensus as to how to resolve this issue at the present time. By **July 11, 2014**, Bridgestone should supplement its response to these interrogatories and identify who was listed as the chairman(en) for these various committees during the course of the contract(s) and insofar as possible the primary presenters on the various issues. Bridgestone advised that they are in the process of preparing written discovery, which will have, in many cases, written decisions on issues by the various committees. These documents will be of assistance in narrowing the field further.

The third interrogatory does not list committees. However, it lists some 72 individuals with their titles. The Magistrate Judge expects, on this list, that Bridgestone will attempt to identify insofar as possible who the lead individuals are within the various subgroups.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge